

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MARY ESPOSITO, Individually and on Behalf  
of All Other Persons Similarly Situated,

Plaintiff,

v.

AMERICAN RENAL ASSOCIATES  
HOLDINGS, INC., JOSEPH A. CARLUCCI,  
JONATHAN L. WILCOX, SYED T. KAMAL,  
JONATHAN J. McDONOUGH,  
CENTERBRIDGE CAPITAL PARTNERS L.P.,  
MERRILL LYNCH, PIERCE, FENNER, &  
SMITH, INC., BARCLAYS CAPITAL INC.,  
GOLDMAN, SACHS & CO., WELLS FARGO  
SECURITIES, LLC, SUNTRUST ROBINSON  
HUMPHREY, and LEERINK PARTNERS LLC,  
Defendants.

Civil Action No.: 16 Civ. 11797 (ADB)

**CLASS ACTION**

ECF Case

**LEAD PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT AND APPROVAL OF PLAN OF ALLOCATION**

Lead Plaintiffs Errol M. Rudman and Rudman Partners hereby move, pursuant to Federal Rules of Civil Procedure 23(b)(3) and 23(e), for an order: (i) granting final approval of the Settlement and Plan of Allocation; (ii) finally certifying the Settlement Class for purposes of carrying out the Settlement; and (iii) entering the accompanying proposed Order and Final Judgment ("Order"). The Order, attached hereto as Exhibit A, was previously filed with the Court on January 31, 2018 (ECF No. 95-1) in connection with the Preliminary Approval Motion.

The grounds for this Motion are set forth in the accompanying memorandum of law and the Declaration of Ira M. Press in Support of Final Approval of Class Action Settlement and Plan

of Allocation, and Award of Attorneys' Fees, Reimbursement of Litigation Expenses, and Incentive Awards.

Dated: May 10, 2018

Respectfully submitted,

**KIRBY McINERNEY LLP**

/s/ Ira M. Press

Ira M. Press (admitted *pro hac vice*)

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*Counsel for Lead Plaintiffs and the Proposed Settlement Class*

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*Liaison Counsel for Lead Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically on this 10th day of May, 2018, to the registered participants as on the Notice of Electronic Filing (NEF). At this time, I am not aware of any non-registered participants to whom paper copies must be sent.

/s/ Ira M. Press

Ira M. Press